



CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII

FILED
JUL 20 2022

PURSUANT TO ROH Sec. 1-2.4

ORDINANCE _____
BILL **56 (2020)**

A BILL FOR AN ORDINANCE

RELATING TO DETACHED DWELLINGS.

BE IT ORDAINED by the People of the City and County of Honolulu.

SECTION 1. The purpose of this ordinance is to further address the problem of the illegal use of large residential structures in residential districts.

SECTION 2. Section 21-3.70-1, Revised Ordinances Honolulu 1990 ("Residential uses and development standards"), as enacted in SECTION 2 of Ordinance 19-3, is amended by amending subsection (c) to read as follows:

"(c) **Additional Development Standards.**

- (1) **Maximum Height.** The maximum height of structures is determined by the building envelope created as the result of the intersection of two planes. The first plane is measured horizontally across the parcel at 25 feet above the high point of the buildable area boundary line. The second plane runs parallel to grade, as described in Section 21-4.60(b), measured at a height of 30 feet. If the two planes do not intersect, then the building envelope is determined by the first plane (see Figure 21-3.10).
- (2) **Height Setbacks.**
 - (A) Any portion of a structure exceeding 15 feet must be set back from every side and rear buildable area boundary line one foot for each two feet of additional height over 15 feet (see Figure 21-3.10); and
 - (B) Any portion of a structure exceeding 20 feet must be set back from the front buildable area boundary line one foot for every two feet of additional height over 20 feet.
- (3) Except for cluster housing and planned development housing developed pursuant to Section 21-8.50, for zoning lots with one-family or two-family detached dwellings or duplexes:
 - (A) The maximum density is a floor area ratio of 0.7.
 - (B) The number of wet bars on one zoning lot (the aggregate of the number of wet bars in each dwelling unit on the zoning lot) must not exceed the following:



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Lot size (square feet)	Number of wet bars cannot exceed:
Up to 9,999	1
10,000 and up	2

- (C) The number of laundry rooms in each dwelling unit must not exceed one.
- (D) The number of bathrooms on one zoning lot (the aggregate of the number of bathrooms in each dwelling unit on the zoning lot) must not exceed the following:

Lot size (square feet)	Number of bathrooms cannot exceed:
Up to 5,999	4 and one 0.5 bathroom
6,000 to 6,999	5 and one 0.5 bathroom
7,000 to 7,999	6 and one 0.5 bathroom
8,000 to 8,999	7 and one 0.5 bathroom
9,000 to 9,999	8 and one 0.5 bathroom
10,000 and up	9 and one 0.5 bathroom

The number of bathrooms on one zoning lot must not under any circumstances exceed 9 and one 0.5 bathroom.

- (E) The conversion or alteration of a wet bar, laundry room, or bathroom is prohibited unless the conversion or alteration is specifically allowed under a valid building permit.
- (F) The conversion of a portion of a structure that is excluded from the calculation of floor area pursuant to Section 21-10.1 to a portion of the structure that is included in the calculation of floor area is prohibited unless the conversion is allowed under a valid building



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permit and complies with the applicable standards of this subdivision.

- (G) For one-family or two-family detached dwellings or duplexes constructed pursuant to building permits applied for after the effective date of this ordinance, the impervious surface area of a zoning lot must not exceed 75 percent of the total zoning lot area.
- (H) If the floor area ratio exceeds 0.6, the following additional standards apply:
 - (i) The side and rear yards must be at least eight feet.
 - (ii) Each dwelling unit in the detached dwelling or duplex must be owner-occupied, and the occupant shall deliver to the department evidence of a real property tax home exemption for the subject property.
 - (iii) Subsequent inspections.
 - (aa) Upon the completion of construction and the determination by the department that the detached dwelling or duplex complies with all applicable codes and other laws, conforms to the plans and requirements of the applicable building permit, and is in a condition that is safe and suitable for occupancy, the department may issue a temporary certificate of occupancy that is effective for a period of ~~[one-year]~~ two years after issuance;
 - (bb) During the ~~[one-year]~~ two-year period that a temporary certificate of occupancy is in effect, the department may, with reasonable notice to the holder of the building permit, conduct periodic inspections of the detached dwelling or duplex to confirm that it is in the same structural form as when the temporary certificate of occupancy was issued; and
 - (cc) At the end of the ~~[one-year]~~ two-year period that a temporary certificate of occupancy is in effect, the department may, upon final inspection, issue a



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certificate of occupancy for the detached dwelling or duplex and close the building permit."

SECTION 3. Ordinance material to be repealed is bracketed and stricken. New material is underscored. When revising, compiling or printing this ordinance for inclusion in the Revised Ordinances of Honolulu, the Revisor of Ordinances need not include the brackets, the material that has been bracketed and stricken, or the underscoring.



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SECTION 4. This ordinance takes effect upon its approval

INTRODUCED BY:

[Signature] (br)

DATE OF INTRODUCTION:

JUL 20 2020

Honolulu, Hawaii

Councilmembers

APPROVED AS TO FORM AND LEGALITY:

Deputy Corporation Counsel

APPROVED this _____ day of _____, 20____.

KIRK CALDWELL, Mayor
City and County of Honolulu